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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 DAVID ENGELSTEIN,

9 Plaintiff,

10 v.

11 UNITED STATES DEPARTMENT
OF AGRICULTURE, et al.,

12 Defendants.

C20-916 TSZ

MINUTE ORDER

13 DAVID ENGELSTEIN,

14 Plaintiff,

15 v.

16 THE STATE OF WASHINGTON, et
al.,

17 Defendants.

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19 The following Minute Order is made by direction of the Court, the Honorable
Thomas S. Zilly, United States District Judge:

20 (1) The Court DENIES Plaintiff's Motion for Reconsideration, docket no. 92,
21 as to Defendant Active Construction, Inc. ("ACI"). "[A] motion for reconsideration
22 should not be granted, absent highly unusual circumstances, unless the district court is
presented with newly discovered evidence, committed clear error, or if there is an
intervening change in the controlling law." Kona Enters., Inc. v. Estate of Bishop, 229

1 F.3d 877, 890 (9th Cir. 2000) (internal citation omitted). In the motion, Plaintiff
2 challenges whether ACI raised sufficient evidence of prejudice to warrant summary
3 judgment. Plaintiff's arguments demonstrate a mere disagreement with the Court's
assessment of whether ACI was prejudiced by the delayed notice of the action, which
does not warrant granting reconsideration.

4 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of
5 record.

6 Dated this 14th day of March, 2022.

7 Ravi Subramanian
Clerk

8 s/Gail Glass
9 Deputy Clerk